

# **MINUTES**

## **LEGISLATIVE GOVERNMENT OVERSIGHT COMMITTEE**

### **June 18 and 19, 2007**

The Legislative Government Oversight Committee met June 18, 2007, in the Legislative Dining Room at the Capitol. Chair Representative Lensing called the meeting to order at 11:00 a.m. Other members present were:

Senator Tom Courtney, Chair  
Senator Mike Connolly, VC  
Senator Ron Wieck, RM  
Senator Mary Lundby  
Senator Becky Schmitz

Representative Vicki Lensing, Chair  
Representative Wayne Ford, VC  
Representative Ralph Watts, RM  
Representative Clel Baudler  
Representative Deborah Berry  
Representative Steven Olson  
Representative Kurt Swaim  
Representative Jodi Tymeson  
Representative Wes Whitead

### **OVERVIEW**

The primary focus of the meeting concerned an update regarding issues relating to the Central Iowa Employment and Training Consortium (CIETC) and settlement efforts relating thereto, a follow-up discussion from the previous meeting regarding the Gambler's Treatment Program, and an update on veteran's issues with primary emphasis on the Iowa Veteran's Home, veteran's hospitals and clinics, and the Iowa Veteran's Cemetery.

### **CIETC UPDATE**

Mr. Grant Dugdale, Assistant Attorney General, summarized negotiation and settlement efforts from the state's perspective between the state, CIETC, and the federal government regarding funds for job training programs which the United States Department of Labor is requiring to be repaid. Mr. Dugdale indicated that he feels substantial progress is being made in resolving issues relating to settlement in a manner which will repay the federal government, resolve disputes between the state and CIETC's member governments, discontinue CIETC, appropriately deal with responsible parties formerly associated with CIETC, and minimize taxpayer impact. Mr. Dugdale stated that the parties were meeting voluntarily to determine how to apportion financial responsibility between CIETC, its member governments, and the state. He identified restitution judgements against indicted individuals, insurance, and IPERS distributions paid out to liable parties formerly associated with CIETC as possible sources for recouping the money paid to the federal government.

Mr. Dave Reed, CIETC Board Chairperson and Mr. Jonathon Wilson, attorney for CIETC, accompanied by two county board of supervisor chairpersons, distributed a statement outlining efforts by CIETC to cooperate in the various investigations taking place while continuing to provide program services to recipients. Mr. Wilson stated that the discontinuation of CIETC will eventually take place, but that the agency must continue in existence at least through the

duration of pending open meetings law litigation initiated by the Des Moines Register. Committee members expressed frustration with the length of time that settlement efforts were taking and the legal fees associated with those efforts, suggested that various parties might differ in their motivation to expedite settlement, indicated that precedent exists for determining an equitable allocation of financial responsibility among the impacted county boards of supervisors, inquired about the possibility of the state paying the settlement amount in the near future and allocating financial responsibility after-the-fact, and stated that board member indecision was taking place at taxpayer expense.. Mr. Wilson maintained that all parties involved in settlement efforts desire a quick resolution and are working to achieve it, that allocating responsibility is a process and that no party is interested in paying more than the minimum amount they are determined to owe, that the CIETC board lacks the financial resources to vote on and implement a settlement, and that any settlement reached would have to be approved by the county boards of supervisors involved. Committee members reiterated their concerns regarding potential taxpayer impact, and strongly encouraged all parties to seek a quick resolution and for the board members to assist in that effort in their role as elected public officials.

### **GAMBLING TREATMENT PROGRAM**

Continued Discussion. Mr. Mark VanderLinden, Gambling Treatment Program Director, Department of Public Health, distributed a handout providing committee members with additional information in response to questions which were raised during the previous (May) meeting of the Government Oversight Committee. Mr. VanderLinden stated that the purpose of the program is to promote and protect the health of Iowans by reducing problem gambling behavior through the provision of counseling and related services to problem gamblers via ten contracted treatment providers in eleven regions around the state. Changes made to the program since its inception in 1988 include evidence-based prevention and education services, maintenance of the 1-800-BETS OFF helpline, transitional housing services, counselor training for clinicians, and program evaluation. Mr. VanderLinden noted that a prevalence study of problem gambling in the state conducted in 1995 revealed a significant increase in problem and pathological gambling over a similar study conducted several years earlier. He summarized the results of a study of gambling and gambling services in Iowa published by the Harvard Medical School Division on Addictions in 2002 and resulting action taken by the Department. Program funding was also reviewed, and information provided regarding the timeline for department payment of vouchers submitted by treatment providers for reimbursement. Mr. VanderLinden indicated the department's goal is to pay vouchers within twenty-one days of receipt, stated that generally the department has met the goal, and identified factors which may result in a delay in payment. Committee discussion included the increase in reports of problem gambling in an area following the opening of a local casino, statistics regarding the number of problem gamblers in the state, the status of a delayed reimbursement to the Central Iowa Gambling Treatment Program, and the extent to which minorities are being notified of the existence of the program, and being provided with program services.

### **RECESSED**

Representative Lensing recessed the meeting at 4:00 p.m.

**June 19, 2007**

Representative Lensing called the meeting to order at 9:00 a.m.

### **VETERAN'S ISSUES**

Veterans Administration Facilities and Iowa Veteran's Home. Mr. Barney Devine, Federal Veterans Administration, Central Iowa, and Mr. Daniel Steen, Commandant, Iowa Veterans Home, discussed the status of and relationship between Veterans Administration facilities in the state and the Iowa Veterans Home.

Mr. Devine summarized efforts to establish a north to south tier of community-based outpatient clinics intended to facilitate local access by veterans to primary care health services. He also reviewed plans to build a new extended care facility at the Des Moines Veterans Administration campus, indicating that the rationale for the project stems from the age of the facility presently located in Knoxville, the high concentration of veterans in Polk County, and a shift to a rehabilitative focus for increasingly debilitated patients. Mr. Devine also discussed efforts to profitably dispose of twenty-nine veterans administration buildings, preferably through utilization of enhanced-use leasing with application of revenue to patient care, with transfer to the General Services Administration a fallback solution if leasing proves unsuccessful. Committee discussion included the extent to which community-based outpatient clinics would be located on a statewide basis, requirements for and adequacy of the supply of mental health providers associated with veterans clinics, the distinction between an extended care facility and the traditional concept of "nursing home", and staffing requirements for the new extended care facility.

Mr. Steen provided an overview of the operation of the Iowa Veterans Home. He characterized the Veteran's Home as a long-term care facility comprised of a medical clinic, licensed nursing facility, long-term care facility, and residential care facility, with both veterans and their spouses qualifying for residency. The changing profile of residents was identified, with a shift to a younger population with mental health and substance abuse issues, and a changing focus to rehabilitation and return of veterans back to their local communities. Mr. Steen further indicated plans are underway to develop a master plan to change the physical environment of the Iowa Veterans Home from an institutional to home-based atmosphere, and described state and local funding presently available or anticipated to be committed to the project.

### **IOWA VETERANS CEMETERY**

Mr. Patrick Palmersheim, Director, Iowa Department of Veterans Affairs, accompanied by Ms. Darlene McMartin, Director, Pottawattamie County Veterans Affairs Department, provided an update regarding progress in connection with the Iowa Veteran's Cemetery. Mr. Palmersheim indicated that a Cemetery Director position has been filled, that a contractor has been selected, that a federal grant necessary for the provision of a Notice Of Intent to begin construction was pending, that a website has been developed in connection with the Department of Administrative Services, that fundraising efforts are underway to generate private funds to be used for memorials and beautification projects on the grounds of the cemetery, that construction is anticipated to begin late in July, 2007 with an anticipate completion date of Memorial Day, 2008, and that research is being conducted regarding staffing needs. Committee discussion included qualification for interment at the cemetery, procedural aspects of services and burials, and anticipated operational costs. Mr. Palmersheim and Ms. McMartin also discussed the

status of the Iowa Department of Veterans Affairs County Grant Program, which was established to improve services to veterans by providing County Commissions of Veterans Affairs with a ten thousand dollar maximum matching grant. Several challenges to implementation of the program were identified, including a misconception on the part of some counties that the grant was a reimbursement and that funds could be used for any purpose determined by a County Commission. Committee discussion included inquiry regarding why certain counties chose not to participate, the impact of a "home rule" philosophy in the decision by some County Boards not to signify approval, and whether legislation to require each county to maintain a Veteran's Affairs Office would be an appropriate step to take.

### **PROCEDURAL ASPECTS**

The Committee continued discussion and prioritization regarding interim topic lists for upcoming meetings. The July Government Oversight meeting will be devoted in large part to the role and possible expansion of the Iowa Communications Network. Committee members additionally presented a resolution honoring Mr. Sam Leto, formerly with the Fiscal Services division, for his outstanding service to the Committee.

### **NEXT MEETING**

The Committee is scheduled to meet on July 23 and 24, 2007, in the Supreme Court Chamber at the Statehouse. The meeting will commence at 11:00 a.m. on July 23, and 9:00 a.m. on July 24.

### **ADJOURNED**

Representative Lensing adjourned the meeting at 12:00 p.m.

**May 15, 2007**

Senator Courtney called the meeting to order at 9:00 a.m.

### **E-911 PROGRAM AND QUARTERLY REPORT REVIEW**

Ms. Jennifer Acton, Legislative Services Agency, summarized the first calendar quarter report for 2007 received from the Office of Homeland Security and Emergency Management Division as required by law. Ms. Acton indicated that the Division received \$3.6 million in revenue from the E911 wireless surcharge for the quarter, which was an increase of \$63,000 over the revenue earned the previous quarter. She related expenditures from the fund in priority order, and indicated that the amount that Public Safety Answering Point Systems (PSAPS) receive from the surcharge was legislatively increased from 24 % to 25% per calendar quarter. Mr. John Benson, Iowa E-911 Program Manager, indicated that implementation of Phase I of the project has been completed, that the project has now entered Phase II, and that installation of any remaining PSAPS will be completed by June, 2007. Committee discussion included the need for training for PSAPS personnel, the suggestion that Committee members periodically test the system, consequences if funding allocated to the E-911 Program were reallocated elsewhere, and the financial impact of an increasing trend away from hard-line telephone connections.

### **IOWA BRAILLE SIGHT SAVING SCHOOL (IBSSS) UPDATE**

Ms. Jeananne Schild, Interim Superintendent of IBSSS, provided an update regarding the status of the school, in light of ongoing Committee concerns regarding the number of students being served, building closures, and the cost per student being appropriated. Ms. Schild described a change in public perception of education of the blind favoring local community care with public school involvement versus placement at the school, leading to a steady decline in enrollment. She discussed the formation of a Task Force by the State Board of Regents examining the efficiency and effectiveness of IBSSS programs, and how the school is utilizing appropriated funds. The Task Force concluded that the approximately 450 blind or visually-impaired students residing in their local communities rather than at the school were in many cases receiving a lesser-quality education, and developed a series of recommendations constituting a Preferred Future For Vision Services In Iowa. The recommendations included providing appropriate training and support for instructors and agencies across the State working with students who are blind or visually impaired; using regional centers to provide access to specified classes and eliminating geographical differences in resource distributions; maximizing skill development; centralizing administration and coordination of providers, technology, and regional centers; coordinating a comprehensive transition to adulthood services with the Department for the Blind, and expanding early intervention services. Ms. Schild stated that students at IBSSS have a significant secondary disability but the school lacks Department of Human Services approval for access to federal funding relating to such disabilities, and that the school is refocusing its mission on servicing every blind student in the state regardless of location. She summarized efforts to accomplish this, including the hiring of additional instructors; an increased emphasis on technology; implementation of a short-term class concept; providing an in-field resource for multiple-disabled students; pooling of resources with Area Education Agencies so that the IBSSS coordinates instructor hiring; and renovating campus buildings, consolidating IBSSS services, and leasing out non-utilized space. Committee discussion included criteria for determining when a student enters and exits placement, determination of "success" via standardized testing and alternate assessments, and interest in discussions with the State

Board of Regents and the Department of Human Services regarding possible IBSSS certification for federal disability assistance.

### **PROCEDURAL ASPECTS**

The Committee discussed and distributed a prioritization form regarding possible topics for 2007 interim meetings.

### **NEXT MEETING**

The Committee is scheduled to meet on June 18 and 19, 2007, in the Legislative Dining Room at the Statehouse. The meeting will commence at 11:00 a.m. on June 18th, and 9:00 a.m. on June 19.

### **ADJOURNED**

Senator Courtney adjourned the meeting at 4:00 p.m.